

Amendment No. 1 to HB2589

DeBerry J
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2719

House Bill No. 2589*

by deleting subsections (d) and (e) in the amendatory language of Section 1 of the bill and substituting instead the following:

(d)

(1) It is an offense for any person to sell or distribute an imitation firearm that is capable of firing a projectile to another person who has not attained fourteen (14) years of age unless the person is accompanied by the person's parent or legal guardian or the person has the written permission of the parent or legal guardian to purchase such a firearm.

(2) It is an offense for any person to persuade, entice, send or assist a person who has not attained fourteen (14) years of age to purchase, acquire, receive or attempt to purchase, acquire or receive an imitation firearm as described in subsection (d) without the permission of the person's parent or legal guardian. This subsection shall not preclude law enforcement efforts involving the use of individuals less than fourteen (14) years of age if a parent of the individual has consented to such use.

(3) A person engaged in the sale or distribution of imitation firearms as described in subsection (d) shall demand proof of age from a prospective purchaser or recipient or written permission by the parent or legal guardian of the purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser or recipient may be less than eighteen (18) years of age.

(e) Every person who sells imitation firearms as described in subsection (d) at retail shall post conspicuously and keep so posted at the place of business a sign, no

smaller than ninety-three and one-half (93 ½) square inches, to ensure that it is likely to be read at each point of sale, stating the following:

**STATE LAW STRICTLY PROHIBITS THE SALE OF CERTAIN
IMITATION FIREARMS TO PERSONS UNDER THE AGE OF
FOURTEEN (14) YEARS OF AGE WITHOUT THE PERMISSION OF
THE PERSON'S PARENT OR LEGAL GUARDIAN
PROOF OF AGE MAY BE REQUIRED**

(f) A violation of this section is a Class B misdemeanor.

(g) Nothing in this section shall be construed to prohibit prosecution under any other provision of law.

SECTION 2. This act shall take effect July 1, 2008, the public welfare requiring it.